

Assembly Joint Resolution

No. 42

Introduced by Assembly Members Garcia and Ma

January 22, 2008

Assembly Joint Resolution No. 42—Relative to immigration.

LEGISLATIVE COUNSEL’S DIGEST

AJR 42, as introduced, Garcia. Immigration: deportation of victims of domestic violence.

This measure would urge Congress not to change the current policy to allow victims of domestic violence to pursue permanent resident status.

Fiscal committee: no.

- 1 WHEREAS, Every year, almost 6 percent of women in
2 California suffer physical injuries from domestic violence; and
3 WHEREAS, In 2002, 153 murders, with 128 female victims
4 and 25 male victims, were the result of intimate partner violence
5 in California; and
6 WHEREAS, California law enforcement received 196,569
7 domestic violence calls in 2002, of which 119,850 involved
8 weapons, including firearms and knives; and
9 WHEREAS, About 916,000 children were exposed to intimate
10 partner violence at home in 1998; and
11 WHEREAS, Nearly one in five women who went hungry
12 because they did not have enough money to buy food were victims
13 of domestic violence; and

1 WHEREAS, The federal Violence Against Women Act, enacted
2 in 1994, established a policy of allowing immigrants who are
3 victims of domestic violence to seek green cards; and

4 WHEREAS, More than 30,670 immigrants married to United
5 States citizens have been granted visas to remain in the country
6 pursuant to the federal Violence Against Women Act; and

7 WHEREAS, The United States Department of Homeland
8 Security is currently reexamining a longtime policy to let
9 immigrant spouses remain in the United States when their abusive
10 United States citizen or permanent-resident spouses refuse to help
11 them obtain legal status; and

12 WHEREAS, Many of these victims are the parents of children
13 who are United States citizens, and would rather endure a violent
14 relationship than leave their children or be deported; and

15 WHEREAS, Across the country, lawyers and others representing
16 these immigrants are reporting that green card applications are in
17 limbo; and

18 WHEREAS, Abusive husbands often use the threat of
19 deportation to prevent their wives from complaining about the
20 abuse; and

21 WHEREAS, Work visas have been granted pursuant to the
22 Violence Against Women Act so that an illegal immigrant victim
23 can obtain a work permit so she can support herself and her
24 children; and

25 WHEREAS, Many of these women currently hold legal jobs,
26 contribute to the community, and provide health insurance for their
27 children; and

28 WHEREAS, A change in this policy would result in victims
29 remaining in violent relationships just to avoid deportation and
30 abandonment of their children, which would cause those children
31 to have to seek public assistance; now, therefore, be it

32 *Resolved by the Assembly and the Senate of the State of*
33 *California, jointly,* That the California Legislature urges Congress
34 not to change the current policy to allow victims of domestic
35 violence to pursue permanent resident status; and be it further

36 *Resolved,* That the Chief Clerk of the Assembly transmit copies
37 of this resolution to the Director of the Department of Homeland

- 1 Security and to each Senator and Representative from California
- 2 in the Congress of the United States.

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